

**Amendments to the Claims under Revised 37 C.F.R. § 1.121**

Claim 1 (currently amended):       An isolated nucleic acid molecule comprising a nucleotide sequence ~~selected from the group consisting of:~~

- (a)   ~~the nucleotide sequence~~ as set forth in either SEQ ID NO: 1 or SEQ ID NO: 3;
- (b)   ~~the nucleotide sequence~~ of the DNA insert in ATCC Deposit Nos. PTA-2665 or PTA-2666;
- (c)   ~~a nucleotide sequence~~ encoding the polypeptide as set forth in either SEQ ID NO: 2 or SEQ ID NO: 4;
- (d)   ~~a nucleotide sequence~~ that hybridizes ~~under at least moderately stringent conditions~~ to the complement of the nucleotide sequence of any of (a) - (c) under hybridization conditions allowing no more than a 21% mismatch between the nucleotide sequences; and or
- (e)   ~~a nucleotide sequence that is~~ complementary to the nucleotide sequence of any of (a) - (c).

Claims 2 and 3 (cancelled).

Claim 4 (currently amended):       A vector comprising the nucleic acid molecule of ~~any of~~ Claim[[s]] 1, ~~2, or 3.~~

Claim 5 (original):    A host cell comprising the vector of Claim 4.

Claim 6 (original):    The host cell of Claim 5 that is a eukaryotic cell.

Claim 7 (original):    The host cell of Claim 5 that is a prokaryotic cell.

Claim 8 (currently amended):       A process of producing a TGF- $\beta$ -R polypeptide encoded by the nucleic acid molecule of Claim 1, comprising culturing the host cell of Claim 5 under suitable conditions to express the polypeptide, and optionally isolating the polypeptide from the culture.

Claim 9 (cancelled).

Claim 10 (original): The process of Claim 8, wherein the nucleic acid molecule comprises promoter DNA other than the promoter DNA for the native TGF- $\beta$ -R polypeptide operatively linked to the DNA encoding the TGF- $\beta$ -R polypeptide.

Claims 11-42 (cancelled).

Claim 43 (currently amended): A composition comprising a nucleic acid molecule of ~~any of~~ Claim[[s]] 1, 2, ~~or 3~~ and a pharmaceutically acceptable formulation agent.

Claim 44 (original): The composition of Claim 43, wherein said nucleic acid molecule is contained in a viral vector.

Claim 45 (currently amended): A viral vector comprising a nucleic acid molecule of ~~any of~~ Claim[[s]] 1, 2, ~~or 3~~.

Claims 46-49 (cancelled).

Claim 50 (currently amended): A device, comprising:

- (a) a membrane suitable for implantation; and
- (b) cells encapsulated within said membrane, wherein said cells secrete a protein ~~of any~~ of Claims 13, 14, or 15 that is encoded by a nucleic acid molecule comprising a nucleotide sequence:
  - (i) as set forth in either SEQ ID NO: 1 or SEQ ID NO: 3;
  - (ii) of the DNA insert in ATCC Deposit Nos. PTA-2665 or PTA-2666;
  - (iii) encoding the polypeptide as set forth in either SEQ ID NO: 2 or SEQ ID NO: 4; or
  - (iv) that hybridizes to the complement of the nucleotide sequence of any of (i) - (iii) under hybridization conditions allowing no more than a 21% mismatch between the nucleotide sequences; and

said membrane is permeable to said protein and impermeable to materials detrimental to said cells.

Claims 51-55 (cancelled).

Claim 56 (currently amended):      A nucleic acid molecule of ~~any of Claim~~[[s]] 1, ~~2, or 3~~ attached to a solid support.

Claim 57 (currently amended):      An array of nucleic acid molecules comprising at least one nucleic acid molecule of ~~any of Claim~~[[s]] 1, ~~2, or 3~~.